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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/017,295	02/02/1998	TOSHIKI IGARASHI	862.2098	8124
5514 7590 03/27/2008 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
STRANGE, AARON N				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/017,295

Applicant(s)

IGARASHI ET AL.

Examiner

AARON STRANGE

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 60, 62, 64-69, 74, 75, 77, 84, 85, 87-91, 93, 94 and 96 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 60, 62, 65-69, 75, 77, 85, 87-91, 93, 94 and 96 is/are rejected.
- 7) ☒ Claim(s) 64, 74 and 84 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 12/26/07 have been fully considered but they are not persuasive.
2. With regard to claim 1, and Applicant's assertion that invocation of Farrand's real time display (shown in fig. 12) "merely initiated obtaining the historical data from the local storage and displaying the data" (Remarks, 25-26), the Examiner respectfully disagrees. Farrand specifically distinguishes between the display of historical data and real-time data (col. 198, ll. 28-33). Farrand further states "of the two, the historical display 534 will be generated only if the data collection was turned enabled (sic) when the selected file server was configured" (emphasis added) (col. 198, ll. 30-33).

From this disclosure, it is apparent that the real time display does not "merely initiate obtaining the historical data from the local storage", since the real time display will be shown even if there is not historical data at all. The only way this can occur is for the system to repeatedly request the information from the file server being monitored.

Farrand further discloses that other windows display information about the current state of the file server (i.e., col. 198, ll. 4-16) and that the "readings are determined by the server manager installed in the file server" (emphasis added)(col. 198, ll. 15-16). Therefore, it is clear that Farrand's system obtains information, in real-time, responsive to selection of a particular sheet for display. As discussed above,

historical data is only collected when specifically enabled, so it simply cannot be the source of the real-time data being displayed by Farrand.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 93 and 94 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 93 recites the limitation "the device control network apparatus" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim. The Examiner recommends amending the claim to recite "the network device control apparatus"

6. All claims not individually rejected are rejected by virtue of their dependency from the above claims.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3, 60, 62, 65-69, 75, 77, 85, 87-91, 93, 94 and 96 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farrand et al. (US 5,559,958) in view of "Windows 95 printer driver operation manual" (The '95 Manual).

9. With regard to claim 1, Farrand discloses a displaying method, of acquiring information related to a selected network device from among a plurality of network devices by using a network management program in a network management apparatus (devices are selected using program)(fig. 10; col. 196, ll. 6-13), and displaying acquired information of the selected network device, said method comprising:

- an invoking step of the network management apparatus invoking the network management program (col. 195, ll. 23-25);

- a network device displaying step of the network management system displaying on a display symbols representing the plurality of network devices (manageable devices are presented in a list with an identifying name)(fig. 10; col. 195, ll. 47-65);

- a network device selecting step of a user selecting a network device symbol from among the network device symbols displayed on the display in the network device displaying step (fig. 10-11; col. 196, ll. 6-13);

- a device window display step of the network management program displaying a device window allocated to the selected network device (fig. 11; col. 196, ll. 57-64), the device window having a first sheet (environment subsystem GUI)(fig. 12), a second

sheet (disk storage subsystem)(fig. 13), and a designation portion for selecting either to display the first sheet or the second sheet (device management window)(fig. 11), wherein the sheet selected by the designation portion is visible while the other sheet is invisible (only one subsystem GUI is visible at a time) (figs. 11-13) (col. 198, ll. 39-46),

and wherein the first sheet defines items to be displayed as first partial sheet information (first sheet displays information relating to environment only)(col. 198, ll. 4-16) and the second sheet defines items to be displayed as second partial sheet information (second sheet displays information relating to disk storage only)(col. 200, ll. 6-11), and the items to be displayed as the first partial sheet information on the first sheet and the items to be displayed as the second partial sheet information on the second sheet are different from each other and are managed as an MIB (Managed Information Base) by the selected network device (col. 3, l. 66 to col. 4, l. 6);

a first acquiring step of the network management program acquiring, from the selected network device, the first partial sheet information related to the selected network device, by communicating with the selected network device using SNMP (Simple Network Management Protocol), via a network (col. 8, ll. 16-20);

a first partial sheet information display step of the network management program displaying the first partial sheet information, acquired in said first acquiring step from the selected network device, on the first sheet of the device window as the initial display, wherein the first partial sheet information is part of information related to the selected network device (acquired information is displayed in the appropriate sheet)(figs. 11-13; col. 198, ll. 4-16; col. 200, ll. 6-11);

a sheet selecting step of the user selecting the designation portion for the second sheet displayed in the device window display so as to invoke displaying the second sheet in the device window in place of the first sheet (only one subsystem GUI is visible at a time, and new sheets can be selected from the environment window) (figs. 11-13) (col. 198, ll. 39-46);

a second acquiring step of, in response to the user's selection of the designation portion for the second sheet, the network management program acquiring from the selected network device by communicating with the selected network device via the network using SNMP, the second partial sheet information related to the selected network device (the information may be dynamically retrieved when requested) (col. 3, l. 66 to col. 4, l. 6; col. 39, ll. 35-40); and

a second partial sheet information display step of the network management program displaying the second partial sheet information, acquired in said second acquiring step, on the second sheet of the device window, wherein the second partial sheet information is part of information related to the selected network device (acquired information is displayed in the appropriate sheet)(figs. 11-13; col. 198, ll. 4-16; col. 200, ll. 6-11).

Farrand fails to specifically disclose that the managed network devices are printing apparatuses or that a first sheet is displayed with information collected when the program is invoked, that the sheets are displayed in a tabbed format such that one can be selected while another remains visible. The '95 Manual teaches retrieval and display of information about printers in a tabbed format, enabling a user to select one

information sheet while another is still visible (pp. 19-23) and also teaches the display of a first sheet upon invoking the program. This type of display was notoriously well known in the art at the time the invention was made and had several known benefits, such as permitting a user to quickly navigate back and forth between multiple sheets of information without requiring them to exit a sheet to view a different sheet.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to permit collection of information about printers in addition to other network devices and display the collected information in a tabbed format to permit users to quickly and easily navigate between the various sheets of information about a managed device. A natural consequence of this combination would be population of the first displayed tab with the appropriate information to be displayed in the tab.

10. With regard to claim 60, Farrand further discloses that said first partial sheet information display step includes forming a list of information required for display of the first sheet, acquiring listed information, and storing the acquired first partial sheet information in a memory (when a user selects a subsystem, the appropriate information is retrieved and stored)(col. 8, ll. 16-20; col. 39, ll. 35-40; col. 197, ll. 11-14).

11. With regard to claim 62, Farrand further discloses that said second partial sheet information display step includes forming a list of information required for display of the second sheet, acquiring listed information, and storing the acquired second partial sheet

information in a memory (when a user selects a subsystem, the appropriate information is retrieved and stored)(col. 8, ll. 16-20; col. 39, ll. 35-40; col. 197, ll. 11-14).

12. With regard to claim 65, Farrand further discloses that said first partial sheet information display step or said second partial sheet information display step acquires the information from the selected printing apparatus, if it is determined that information is to be acquired from the selected printing apparatus, or acquires the information from the memory, if it is determined that information, is to be acquired from the memory (information can be dynamically retrieved or polled periodically and stored locally)(col. 39, ll. 30-40).

13. With regard to claim 66, the '95 Manual further discloses that said second partial sheet information display step is executed if a tab, as the designation portion, is clicked on the device window (discussed above with regard to claim 1; clicking on a tab causes the sheet associated with that tab to be displayed).

14. With regard to claim 67, Farrand and the '95 Manual further disclose that the first sheet is a screen that displays a status of the selected printing apparatus, a screen that displays a list of jobs of the selected printing apparatus, a screen that displays a manufacturer, a product name, an installation location, a product version, or a toner cartridge model of the selected printing apparatus, or a screen that displays information about a network interface board or information about a network protocol of the selected

printing apparatus(Farrand teaches display of status information; col. 198, ll. 4-16; col. 200, ll. 6-11)(The '95 Manual discloses printer specific display, including status information)(p. 21).

15. With regard to claim 68, Farrand and the '95 Manual further disclose that the second sheet is a screen that displays a status of the selected printing apparatus, a screen that displays a list of jobs of the selected printing apparatus, a screen that displays a manufacturer, a product name, an installation location, a product version, or a toner cartridge model of the selected printing apparatus, or a screen that displays information about a network interface board or information about a network protocol of the selected printing apparatus (Farrand teaches display of status information; col. 198, ll. 4-16; col. 200, ll. 6-11)(The '95 Manual discloses printer specific display, including status information)(p. 21).

16. With regard to claim 69, Farrand and the '95 Manual further discloses a search step of searching for network devices connected to the network in response to invoking the network management program and displaying the searched network devices in the network device displaying step (manageable devices are presented in a list with an identifying name)(fig. 10; col. 195, ll. 47-65). The '95 Manual discloses printing apparatuses specifically, as discussed above with regard to claim 1.

17. Claims 2, 3, 75, 77-79, 85, 87-91, 93, 94 and 96 are rejected under the same rationale as claims 1-3, 60, 62 and 65-69, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

Allowable Subject Matter

18. Claims 64, 74 and 84 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AARON STRANGE whose telephone number is (571)272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. S./
Examiner, Art Unit 2153
/Glenton B. Burgess/
Supervisory Patent Examiner, Art Unit 2153